

Serial No. 09/927,466
Amtd. dated March 17, 2004
Reply to Office Action of January 9, 2004

Docket No. K-0307

REMARKS/ARGUMENTS

Claims 1 and 4-12 are pending in this application. By this Amendment, the Abstract, specification, and claim 1 are amended, claims 4-12 are added, and claims 2-3 are cancelled without prejudice or disclaimer. The abstract and specification are amended for clarification purposes. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

I. ALLOWABLE SUBJECT MATTER

The Examiner is thanked for the indication that claim 1 would be allowable if rewritten or amended to overcome the rejection thereof under 35 U.S.C. §112, second paragraph. The amendments made to claim 1 are responsive to the Examiner's comments. It is respectfully submitted that independent claim 1 now meets the requirements of 35 U.S.C. §112, second paragraph, and thus is in condition for allowance.

II. RESTRICTION REQUIREMENT

Applicants maintain their traversal of the restriction/election requirement set forth in the Patent Office communication dated September 25, 2003. However, for the purpose of expediting prosecution of the application, Applicants have cancelled non-elected claims 2-3.

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III. DRAWINGS

The Office Action objects to Figures 1-3 for lacking an appropriate legend. MPEP §608.02(g) states that figures may be designated by a legend "such as" Prior Art. It is respectfully submitted that Figures 1-3 are appropriately labeled "Related Art," as these figures are representative of what is currently practiced in the art. Accordingly, it is respectfully requested that the objection to Figures 1-3 be withdrawn.

IV. REJECTION UNDER 35 U.S.C. §112, SECOND PARAGRAPH

The Office Action rejects claim 1 under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As set forth above, the amendments made to independent claim 1 are responsive to the Examiner's comments. It is respectfully submitted that independent claim 1 now meets the requirements of 35 U.S.C. §112, second paragraph, and thus the rejection should be withdrawn.

V. NEW CLAIMS 4-12

New claims 4-12 are added to the application. It is respectfully submitted that new claims 4-12 meet the requirements of 35 U.S.C. §112.

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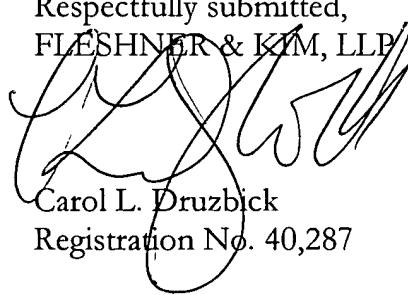
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VI. CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carol L. Druzick, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



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Enclosure:

Substitute Abstract

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